

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No.	CV 10-07739 DMG (VBKx)	Date	October 25, 2010
Title	<i>Terry Ray Wheeler, et al. v. Platinum Manufacturing, LC, et al.</i>	Page	1 of 2
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Present: The Honorable	DOLLY M. GEE, UNITED STATES DISTRICT JUDGE		
	YOLANDA SKIPPER		NOT REPORTED
	Deputy Clerk		Court Reporter
Attorneys Present for Plaintiff(s)		Attorneys Present for Defendant(s)	
None Present		None Present	

**Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE WHY THIS ACTION
SHOULD NOT BE DISMISSED FOR LACK OF JURISDICTION**

On October 15, 2010, Plaintiffs Terry Ray Wheeler and Courtney Wheeler filed a complaint against Defendants Platinum Manufacturing, LC, Outlaw Trailer Conversions, LP, B&H Ag Corporation, Coolhorse.com, Foust Trailers, and Does 1 through 10. The complaint raises three state law causes of action for manufacturing and design defect, failure to warn, and negligence. Plaintiffs allege jurisdiction on the basis of diversity of citizenship, 28 U.S.C. § 1332. (Compl. ¶ 16.)

“Diversity jurisdiction requires complete diversity between the parties—each defendant must be a citizen of a different state from each plaintiff.” *Diaz v. Davis (In re Digimarc Corp. Derivative Litig.)*, 549 F.3d 1223, 1234 (9th Cir. 2008) (citing *Strawbridge v. Curtiss*, 7 U.S. (3 Cranch) 267, 267, 2 L.Ed. 435 (1806)). Under the federal diversity jurisdiction statute, a corporation is deemed to be a citizen of both its state of incorporation and the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). A corporation’s principal place of business “should normally be the place where the corporation maintains its headquarters.” *Hertz Corp. v. Friend*, __ U.S. __, 130 S.Ct. 1181, 1192, __ L.Ed.2d __ (2010). A limited liability company “is a citizen of every state of which its owners/members are citizens.” *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006).

Plaintiffs are residents of Los Angeles County (*id.* ¶ 1) and presumably California citizens. Plaintiffs fail to allege Defendants’ corporate forms, principal places of business, and/or the citizenship of their owners/members. It is thus impossible for the Court to determine whether it has jurisdiction over this action based on the allegations of the complaint.

Accordingly, Plaintiffs are **ORDERED TO SHOW CAUSE** why this action should not be dismissed for lack of jurisdiction. Plaintiffs shall file their response by **November 8, 2010**.

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IT IS SO ORDERED.